



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board
Division of Drinking Water

January 22, 2016

Certified Mail
7012 3460 0003 1113 2134

Alleghany County Water District
P.O. Box 860
Alleghany, CA 95910

TRANSMITTAL OF CITATION NO. 01-02-16(C)-001

Attn: Rae Bell Arbogast, Chairperson

The State Water Resources Control Board, Division of Drinking Water, has issued the Alleghany County Water District a citation, which is attached.

If you have any questions regarding this matter, please contact Stephen Rooklidge at (530) 224-2413 or me at (530) 224-4800.

A handwritten signature in black ink, reading "Michael J. McNamara".

Michael J. McNamara, P.E.
Lassen District Engineer
Drinking Water Field Operations Branch

Enclosures: Citation No. 01-02-16(C)-001

cc: Richard Hinrichs, P.E. Chief – Northern California Section, DDW, Redding
Sierra County Environmental Health Director

Sjr\4600012_ACWD\File: Enforcement

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

TO: Allegheny County Water District
P.O. Box 860
Allegheny, CA 95910

Attn: Rae Bell Arbogast, Chairperson

**CITATION FOR VIOLATION OF CALIFORNIA CODE OF REGULATIONS,
TITLE 22, SECTIONS 64424 - WATER SYSTEM NO. 4600012
C I T A T I O N N O . 01-02-16(C)001
Issued on January 22, 2016**

Section 116650 of the California Health and Safety Code authorizes the issuance of a citation to a public water system for violation of the California Safe Drinking Water Act (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with Section 116270) (hereinafter "California SDWA"), or any regulation, standard, permit or order issued or adopted thereunder.

The State Water Resources Control Board (hereinafter "Board"), acting by and through its Division of Drinking Water (hereinafter "Division") and the Deputy Director for the Division (hereinafter "Deputy Director"), hereby issues a citation to the Alleghany County Water District (hereinafter, District), located in Alleghany, Sierra

1 County for violation of California Code of Regulations (CCR), Title 22, Section 64424
2 subsection (a) and Section 64430.

3
4 **APPLICABLE AUTHORITIES**

5 **Section 116650 of California Health and Safety Code provides:**

6
7 (a) If the Division determines that a public water system is in violation of
8 this chapter or any regulation, permit, standard, citation, or order issued or adopted
9 thereunder, the Division may issue a citation to the public water system. The citation
10 shall be served upon the public water system personally or by certified mail. Service
11 shall be deemed effective as of the date of personal service or the date of receipt of
12 the certified mail. If a person to whom a citation is directed refuses to accept delivery
13 of the certified mail, the date of service shall be deemed to be the date of mailing.

14 (b) Each citation shall be in writing and shall describe the nature of the
15 violation or violations, including a reference to the statutory provision, standard, order,
16 citation, permit, or regulation alleged to have been violated.

17 (c) A citation may specify a date for elimination or correction of the
18 condition constituting the violation.

19 (d) A citation may include the assessment of a penalty as specified in
20 subdivision (e).

21 (e) The Division may assess a penalty in an amount not to exceed one
22 thousand dollars (\$1,000) per day for each day that a violation occurred, and for
23 each day that a violation continues to occur. A separate penalty may be assessed for
24 each violation.

25
26 **California Code of Regulations, Title 22, Section 64424, subsection (a) provides**
27 **in relevant part:**

1 (a) If a routine sample is total coliform-positive, the water supplier shall collect
2 a repeat sample set as described in paragraph (a)(1) within 24 hours of
3 being notified of a positive result. The repeat samples shall all be collected
4 within the same 24 hour time period. A single service connection system
5 may request that the State Board allow the collection of the repeat sample
6 set over a four-day period.

7 (1) For a water supplier that normally collects more than one routine sample
8 a month, a repeat sample set shall be at least three samples for each
9 total coliform sample. For a water supplier that normally collects one or
10 fewer samples per month, a repeat sample set shall be at least four
11 samples for each total coliform-positive sample.
12

13 STATEMENT OF FACTS

14 The Alleghany County Water District operates a water system that is located in
15 Alleghany. There are 61 service connections that serve a full-time population of 62.
16 The water system includes a surface water system supplied by Ram Spring that
17 operates year round. The spring source is filtered and continuously chlorinated when
18 in use.
19

20 The District submitted a Bacteriological Sample Siting Plan to the Division on April 1,
21 2014. The Bacteriological Sample Siting Plan specifies three routine sample locations
22 and four repeat sample locations for each routine location.
23

24 The District is required to collect one routine bacteriological water sample per month
25 from their distribution system. In December 2015, the District collected one
26 bacteriological sample from the distribution system that was determined to be positive

1 for total coliform and negative for E.coli. No additional bacteriological samples were
2 obtained in December 2015.

3
4 In January 2016, the District obtained five routine samples from their distribution
5 system, in accordance with Section 64424 (d). Each of these samples were absent
6 for total coliform bacteria.

7 8 DETERMINATION

9 The Division has determined that the Alleghany County Water District violated Section
10 64424 (a), Title 22 of the CCR, in that the District failed to collect repeat samples
11 within 24 hours of being notified of a total coliform positive result in December of 2015.

12 13 DIRECTIVES

14 The District is hereby directed to take the following actions:

- 15
- 16 1. Comply with Sections 64424, Title 22, of the CCR in all future monitoring
17 periods.
 - 18 2. Within 30 days of the issuance of this Citation, but in no case later than
19 **February 24, 2016**, notify all persons served by the District of the MCL
20 violation as required by Section 64463.4 and Section 64465, Title 22, of the
21 CCR. Notification shall be completed in accordance with each of the following:
 - 22 a. Mail or direct delivery of the notice contained in Attachment 'A' to
23 each customer that resides permanently at the District.
 - 24 b. Provide the notice contained in Attachment 'A' either by publication in
25 a local newspaper to reach persons not likely to be reached by a mailing
26 or direct delivery, by posting in conspicuous places within the service
27 area, or posting on the internet.

1 Changes and/or modifications to Attachment 'A' shall not be made unless
2 approved by the Division.

- 3 3. Complete and return Attachment 'B' entitled "Compliance Certification" by
4 **March 4, 2016**. A copy of the notices used to provide public notification shall
5 be attached to the form.

6
7 All documents required by this Citation shall be submitted to the Division to the
8 following address:

9
10 Michael J. McNamara, P. E.
11 Lassen District Engineer
12 State Water Resources Control Board
13 Division of Drinking Water
14 364 Knollcrest Drive, Suite 101
15 Redding, CA 96002
16 (530) 224-4800

17
18 Nothing in this Citation relieves the District of its obligation to meet the requirements
19 of Health and Safety Code, Division 104, Part 12, Chapter 4 (California Safe Drinking
20 Water Act), or any regulation, permit, standard or order issued or adopted thereunder.

21
22 The Division reserves the right to make such modifications to this Citation, as it may
23 deem necessary to protect public health and safety. Such modifications may be
24 issued as amendments to this Citation and shall be effective upon issuance.

25
26 **PARTIES BOUND**

27 This Citation shall apply to and be binding upon the District, its officers, directors,
28 shareholders, agents, employees, contractors, successors, and assignees.

1 **SEVERABILITY**

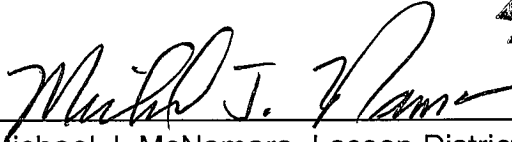
2 The Directives of this Citation are severable, and the District shall comply with each
3 and every provision thereof, notwithstanding the effectiveness of any other provision.
4

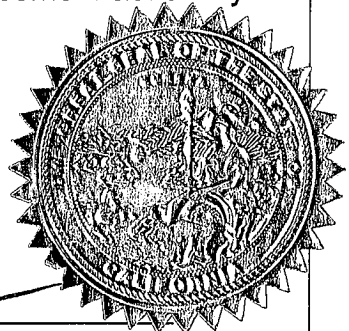
5 **FURTHER ENFORCEMENT ACTION**

6 The California SDWA authorizes the Board to: issue a citation with assessment of
7 administrative penalties to a public water system for violation or continued violation of
8 the requirements of the California SDWA or any permit, regulation, permit or order
9 issued or adopted thereunder including, but not limited to, failure to correct a violation
10 identified in a citation or compliance order. The California SDWA also authorizes the
11 Board to take action to suspend or revoke a permit that has been issued to a public
12 water system if the system has violated applicable law or regulations or has failed to
13 comply with an order of the Board; and to petition the superior court to take various
14 enforcement measures against a public water system that has failed to comply with
15 an order of the Board. The Board does not waive any further enforcement action by
16 issuance of this citation.
17
18
19

20 January 22, 2016

21 Date


Michael J. McNamara, Lassen District Engineer
Northern California Section
Division of Drinking Water
State Water Resources Control Board



22
23
24
25
26 Attachments:

- 27
28 'A' Public Notification: *Important Information About Your Drinking Water*
29 'B' Compliance Certification Form

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

*Este informe contiene información muy importante sobre su agua potable.
Tradúzcalo o hable con alguien que lo entienda bien.*

**Monitoring Requirements not met for
Alleghany County Water District**

Our water system recently failed to monitor drinking water in accordance with the standard. Although this is not an emergency, as our customers, you have a right to know what you should do, what happened, and what we did to correct this situation.

We routinely monitor for drinking water contaminants. We collected a sample from the distribution system to test for the presence of coliform bacteria during December 2015. The sample showed the presence of total coliform bacteria. The water system is required to collect four repeat samples within 24 hours of being notified of a positive result in addition to collecting a source water sample. No additional samples were collected in December 2015. A total of five samples were collected during January 2016. There were no coliform bacteria detected in any of these samples. The cause of the contamination was not determined.

What should I do?

There is nothing you need to do at this time.

The table below lists the contaminant we did not properly test for during the month of December 2015.

| Contaminant | Required sampling frequency | When sample should have been taken | When sample was taken |
|-------------------|-------------------------------------------------------|------------------------------------|-----------------------|
| Coliform Bacteria | 4 repeat samples within 24 hours of a positive result | December 2, 2015 | January 5, 2016 |

For more information please contact:

Rae Bell Arbogast (530) 827-5242

This notice is being provided to you by Alleghany County Water District in compliance with the California Code of Regulations as a means of keeping the public informed.

COMPLIANCE CERTIFICATIONCitation Number: **01-02-16(C)-001**Name of Water System: **Alleghany County Water District**System Number: **4600012**

As required by Section 116450 of the California Health and Safety Code, I certify that the users of the water supplied by this water system were notified of the violations of Title 22, California Code of Regulations (CCR) for the compliance period of December 2015. In addition, I certify that the Alleghany County Water District complied with the directives of this citation as indicated below:

Required ActionDate Completed

Public Notification, as required by Directive 2(a)

Public Notification, as required by Directive 2(b)

Signature of Water System Representative_____
Date

Attach a copy of the direct delivery notice, and a copy of the notice published in the newspaper.

| |
|----------------------------------------------------------------------------------------------------------|
| <p>THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT NO LATER THAN FEBRUARY 24, 2016</p> |
|----------------------------------------------------------------------------------------------------------|

Disclosure: Be advised that Section 116725 and 116730 of the California Health and Safety Code states that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the attached order may be liable for a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation for each day that violation continues. In addition, the violators may be prosecuted in criminal court and upon conviction, be punished by a fine of not more than \$25,000 for each day of violation, or be imprisoned in county jail not to exceed one year, or by both the fine and imprisonment.